

**MINUTES
FREMONT CITY COUNCIL REGULAR MEETING
MARCH 3, 2009
FREMONT CITY HALL
7:00 P.M.**

1. PRELIMINARY

1.1 Call to Order: Mayor Wasserman called the meeting to order.

1.2 Flag Salute: Vice Mayor Natarajan led the salute to the flag.

1.3 Roll Call: Present: Mayor Wasserman, Vice Mayor Natarajan, Councilmembers: Wieckowski, Harrison, and Chan.

1.4 Announcements by Mayor/City Manager

2. CONSENT CALENDAR

- * **2.1 Waive Reading of Ordinances:** The City Attorney read the titles of ordinances to be considered.

On a motion by Councilmember Wieckowski, seconded by Councilmember Chan, the City Council waived further readings of proposed ordinances.

Ayes:	Mayor Wasserman, Vice Mayor Natarajan, Councilmembers: Wieckowski, Harrison and Chan
Noes:	None
Absent:	None
Abstain:	None

- * **2.2 Approval of Minutes** – None.

- * **2.3 Mayor Wasserman opened consideration of the Approval of Plans and Specifications, Fund Appropriations, Adopt Negative Declaration and Award of Contract for the New Construction of Police Department Indoor Gun Range (City Project No. 8557), APN # 525-1671-001-002**

On a motion by Councilmember Wieckowski, seconded by Councilmember Chan, the City Council:

1. Approved the Plans and Specifications for the new Police Department Indoor Gun Range, City Project No. 8557 (PWC).
2. Appropriated \$4,028,260 in Fire Safety Bond funds from Fund 213 to PWC 8557.
3. Adopted the Negative Declaration as attached to the report and find this action reflects the independent judgment of the City of Fremont.

4. Awarded a contract for the construction for the new Police Department Indoor Gun Range, City Project No. 8557 (PWC), to Applegate Johnston, Inc. in the amount of \$2,892,300; and authorized the City Manager, or designee, to execute the contract.

Ayes: Mayor Wasserman, Vice Mayor Natarajan,
Councilmembers: Wieckowski, Harrison and Chan
Noes: None
Absent: None
Abstain: None

*** 2.4 Mayor Wasserman opened consideration of the Authorization of the City Manager to Execute a Twenty Year Non-Exclusive, Revocable Street License Agreement with Pacific Gas and Electric Company for the Installation of Telecommunication Equipment on Three Existing City Light Poles and Authorize the City Manager or Designee to Approve Installation of Equipment at Future Additional Locations**

On a motion by Councilmember Wieckowski, seconded by Councilmember Chan, the City Council:

1. Authorized the City Manager or designee to execute a twenty year non-exclusive, revocable Street Light License Agreement with Pacific Gas and Electric Company for the installation of telecommunications equipment on three existing light poles located at 45428 Antelope Drive, Mission Boulevard and Santa Teresa Street, and Deep Creek Road and Maybird Circle.
2. Authorized the City Manager or designee to approve installation of telecommunications equipment on additional light poles through the encroachment permit process and to approve revisions to the list of street pole locations set forth in Exhibit A to the agreement.

Ayes: Mayor Wasserman, Vice Mayor Natarajan,
Councilmembers: Wieckowski, Harrison and Chan
Noes: None
Absent: None
Abstain: None

3. CEREMONIAL ITEMS – None.

4. PUBLIC COMMUNICATIONS

4.1 Oral and Written Communications

Wynn Grich (A.T.O.W.N.) expressed concern about the potential lead contamination of local drinking water. Roger Shanks requested Council direct staff to cease its enforcement of scheduled demolition of the building at 4695 Thornton Avenue. Lowell Aspelund presented other possible locations for the A's Ballpark. Raj Salwan (Human Relations Commission) invited the Council and public to attend a community forum addressing youth violence that will be held at the American High School on March 19.

5. SCHEDULED ITEMS – None.

6. REPORT FROM CITY ATTORNEY

6.1 Mayor Wasserman opened consideration of a Report Out from Closed Session of Any Final Action – None.

7. OTHER BUSINESS

7.1 Mayor Wasserman opened consideration of the Approval of the Local Business Stimulus Package in Order to Assist New and Existing Businesses During These Difficult Economic Times

Economic Development Director Daren Fields highlighted the elements and proposals for the Local Business Stimulus Package and reviewed ongoing and expanded activities. Staff responded to questions from Councilmembers. Mayor Wasserman opened the item for public comment. Marilyn Singer (Advocates for Affordable Homes) expressed support for decreasing the Development Impact Fees for nonprofit developers by 50% in order to assist in meeting the City's goal of developing low and very low income level housing. Nina Moore (Fremont Chamber of Commerce) expressed support for the proposed Local Business Stimulus Package and encouraged staff to continue to work with the Chamber to update the Sign Ordinance. Basil Bash expressed support for temporarily decreasing all Development Impact Fees by more than 10% in order to assist small business developers who have are having difficulty in obtaining financing to cover the costs of initial development. There were no other speakers. Mayor Wasserman closed public comment. Councilmembers provided comment.

On a motion by Councilmember Wieckowski, seconded by Councilmember Harrison, the City Council approved the Local Business Stimulus Package in order to assist new and existing businesses during these difficult economic times, including:

1. Directed staff to draft a Resolution to collect Development Impact Fees citywide at 90% of their full amount until December 31, 2010.
2. Directed staff to return to the City Council with a package of specific CBD incentive measures including, but not limited to, collecting Development Impact Fees at 75% of their full amount within the CBD area until December 31, 2011.
3. Directed staff to explore changing its current practice of collecting Development Impact Fees at time of building permit issuance to collecting fees at final inspection or issuance of a Certificate of Occupancy.
4. Directed staff to draft an Ordinance temporarily exempting clean technology firms from application of the Business License Tax until December 31, 2011.
5. Directed staff to draft an Ordinance to temporarily increase the local business preference for purchases from two and one-half percent (2.5%) to five percent (5%) for purchases between \$25,000 and \$200,000 until December 31, 2010.
6. Directed staff to explore the City of Fremont's participation in the Statewide Community Infrastructure Program (SCIP).
7. Directed staff to explore the possibility of creating a Foreign Trade Zone in Fremont.

8. Reviewed and commented on the following ongoing, expanded and/or updated Economic Development, Redevelopment Agency, and Planning Division activities: the “Shop Fremont” campaign, business workshops offered through the East Bay Small Business Development Center, the Commercial Rehabilitation Program offered through the Redevelopment Agency, partnering with regional employment and educational institutions to promote employment and job training programs, promoting Employment Training Panel and Industrial Development Bonds, and updating the Sign Ordinance.

Ayes: Mayor Wasserman, Vice Mayor Natarajan,
Councilmembers: Wieckowski, Harrison and Chan
Noes: None
Absent: None
Abstain: None

7.2 Mayor Wasserman opened consideration of the Authorization to Submit Draft General Plan Housing Element to the State Housing and Community Development Department for Review

Policy & Special Projects Manager Dan Schoenholz provided background information and highlighted vacant and underutilized land inventories and new goals, policies and actions that were added to the Housing Element. Mr. Schoenholz concluded his presentation by outlining next steps which included submittal of the draft to HCD by early March and returning to the Planning Commission and City Council with a final version for consideration and adoption in June 2009. Staff responded to questions from Councilmembers. Mayor Wasserman opened the item for public comment. Marilyn Singer (Advocates for Affordable Homes) expressed support for preserving affordable housing units at Besaro Mobile Home Park. Nina Moore and George Duarte (Fremont Chamber of Commerce) expressed opposition to implementing a jobs-housing linkage fee and expressed support for affordable housing and ways to increase it in the community. Doug Ford (Advocates for Affordable Homes) expressed support for implementing a jobs-housing linkage fee. Syeda Yunus (League of Women Voters of Fremont, Newark & Union City) and Arleen Garcia (COR) expressed support for addressing the community’s ABAG allocation of very low income housing units. Preston Plaugher (Crill & Dan) expressed support for development of an ordinance requiring Universal Design. Meghan Sobocenski (COR) expressed support for addressing the community’s ABAG allocation of very low income housing units and implementing a jobs-housing linkage fee. Katie Lamont (Eden Housing) expressed support for elements of the Housing Element. John Smith expressed support for staff’s proposal to conduct a nexus fee analysis to determine the appropriateness of a permanent impact fee reduction for affordable housing projects as well as an in-depth analysis of the City’s parking/open space requirements as implementing actions of the Housing Element. Jessie Radford (Housing Consortium of the East Bay) expressed his Agency’s support of various goals, policies and actions contained in the Housing Element. There were no other speakers. Mayor Wasserman closed public comment. Another question and answer period followed. Councilmembers provided comment to staff regarding changes to the draft Housing Element.

On a motion by Councilmember Wieckowski, seconded by Councilmember Harrison, the City Council authorized staff to submit the draft Housing Element to the State Housing and Community Development Department for review and comment.

Ayes: Mayor Wasserman, Vice Mayor Natarajan,
Councilmembers: Wieckowski, Harrison and Chan
Noes: None
Absent: None
Abstain: None

8. COUNCIL COMMUNICATIONS

8.1 Council Referrals – None.

8.2 Oral Reports on Meetings and Events – None.

9. ADJOURNMENT: There being no further business, Mayor Wasserman adjourned the meeting at 10:20 p.m.

Attest:

Approved:

Dawn G. Abrahamson, City Clerk

BOB WASSERMAN, Mayor